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HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P.(S) NO. 6411/2007

PETITIONER Smt. Sangeeta Khandelwal, aged about 32 years, D/o. Late Smt. Latika Khandelwal, R/o. Village Gadadhi, Tahsil-Saja, District Durg (CG)

Vs.

RESPONDENTS

1. State of Chhattisgarh, Through : Its Secretary, Department of Health & Family Welfare, D.K.S.Bhawan, Raipur (CG)
2. Chief Medical & Health Officer, Tahsil-Durg, District Dug (CG)
3. Block Medical Officer, Public Health Centre, Tahsil-Saja, District-Durg (CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Presence :

Shri Ashok Patil, counsel for the petitioner.

Shri A.S.Kachhawaha, Government Advocate for the State/respondents No. 1 to 3 on advance copy.

ORAL ORDER
(06.11.2007)

SUNIL KUMAR SINHA, J.

Heard finally with the consent of the parties.

Learned counsel for the petitioner submits that the petitioner is the daughter of late Smt. Latika Khandelwal, who was working as Health Assistant (ANM) and was posted at Primary Health Centre, Village Gadadih, Tahsil-Saja, District Durg (CG) and after her death (on 29.12.2005), the petitioner filed an application for compassionate appointment vide Annexure P/1 and P/2 but no action has been taken till date and the matter is pending in the office of respondent No.2.

For the present, he makes limited prayer that this petition may be disposed of with a direction to the respondent No.2 to dispose of the application filed by the petitioner for compassionate appointment which is pending before him. This

limited prayer made by the counsel for the petitioner is not opposed by the counsel appearing for the State. However, he submits that the petitioner may be directed to file fresh application because many times the applications are not traced in the office.

Considering the facts and circumstances of this case, the prayer made by the respective counsel are allowed.

It is directed that if so advised, the petitioner may file a fresh application before respondent No.2 for compassionate appointment on account of death of her mother, within a period of 15 days from today along with the copy of the writ petition and copy of this order and if such application is filed, the respondent No.2 shall process the same at the earliest for taking a decision in the said matter. If the earlier application is already disposed of, then the result of such disposal shall be communicated to the petitioner and in that case the subsequent application filed by the petitioner will not be required to be reprocessed. It is expected that the State will take quick action and shall try to dispose of the matter at the earliest.

With the aforesaid observation, the petition stands finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

Suguna